

RESPONSE AND REMARKS

In the Office Action, Claims 12 and 15-16 were rejected under 35 U.S.C. §102(b) as being anticipated by Buck et al. (U.S. Patent No. 6,078,866; "Buck").

In the Office Action, Claims 1-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Buck, in view of L. Vigil et al., (U.S. Patent Publication No. 2001/0034654 A1; "Vigil").

In the Office Action, Claims 17-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Buck in view of Narin et al. (U.S. Patent Publication No. 2002/0046045 A1; "Narin").

The rejections have been carefully considered. Claims 1, 2, 9, 12, 13, 15, 20 and 21 have been amended to more distinctly claim the claimed invention. Independent Claim 14 has been cancelled and new independent Claim 22 has been added.

It is respectfully submitted that the none of the cited references, whether considered alone or in combination, disclose, anticipate, teach or suggest all of the limitations of the Claims of the present application as amended. For example, it is respectfully submitted that none of Buck, Vigil, or Narin, whether considered alone or in combination, disclose, anticipate, teach or suggest all of the limitations of Claim 1 which is directed to a network-based message board system comprising, among other things, a message board server computer comprising executable program instructions for:

displaying a message board display at the communications address associated with the particular message board, wherein the message board display comprises a display of the plurality of user input messages and the embedded advertising link offers corresponding to the particular message board, and wherein each embedded advertising link offer is displayed at the particular display line position within the display of the plurality of user input messages corresponding to the embedded advertising link offer.

As compared to the above-cited limitations of Claim 1, Buck discloses a system of network site searching and listing. Buck, Abstract. The Buck system maintains a listings database that contains site listings provided by subscribers. Id. In response to

a search query, the Buck system provides a search report of listings from the listings database. Id.

As compared to the search report listing of Buck, Claim 1 recites a message board display.

To ascertain the meaning of terms, such as, for example, "message board" and "message board display", used in the Claims, we may consider the specification of the present patent application. See, e.g., MPEP, Section 2106.II.C; See also, e.g., Markman v. Westview Instruments, Inc., 52 F.3d 967, 979, 34 U.S.P.Q.2D (BNA) 1321, 1329 (Fed. Cir. 1995) (*in banc*), *aff'd*, 517 U.S. 370 (1996) ("To ascertain the meaning of claims, we consider three sources: The claims, the specification, and the prosecution history." (citations omitted)).

A message board display, as recited in Claim 1 and as explained in the Specification of the present application, displays *user* messages. See, e.g., Specification, page 1, lines 14-20. As users input new messages, the message board website updates the message board display with the new messages. See, e.g., Specification, page 1, lines 21-25. As described by the Specification of the present application, "[t]he position of any particular message in a traditional message board display changes as users continue to input messages." Specification, p. 2, lines 12-13.

The above-recited limitations of Claim 1 are directed to a message board that comprises not only a display of a plurality of user input messages but that also comprises a display of embedded advertising link offers. Further, the above-recited limitations of Claim 1 are directed to displaying each embedded advertising link offer at a particular display line position within the display of the plurality of user input messages. It is respectfully asserted that various embodiments of, e.g., the above-recited limitations of Claim 1, would be useful for displaying advertisements at particular line positions within a message board display that comprises an ever-changing display of user input messages. See, e.g., Specification, page 3, lines 6-20.

Further, it is respectfully asserted that neither Vigil nor Narin disclose a message board that comprises not only a display of a plurality of *user* input messages but that

also comprises a display of embedded advertising link offers that are displayed at a particular display line position within the display of the plurality of *user* input messages.

In comparison to the above-recited limitations of Claim 1, and as compared to the above-explained description of the Specification, Vigil discloses presenting interactive "interstitial" advertisements to viewers of websites. See, e.g., Vigil, ¶ 0032. However, Vigil does not disclose that the websites to which advertisements are served are dynamically changed by user input as are user message boards to which the claims of the present application are directed. Rather, Vigil describes interstitial ads as "...full-screen ads that occasionally pop up between pages [of a website]" and that "...get in your face, take up the full browser screen, and don't go away until you click on them or they're done with their animation." Vigil, ¶ 0035.

Narin discloses a "local list of [a] limited set of web sites that can be accessed from within [a] software application. A directory server maintains a list of retail web sites that can be added to the client's local list of accessible web sites." Narin, Abstract. Narin discloses that the local "personal retail list 506" is resident on "computer 110." See Narin, FIG. 5. As compared to a client's *local list* of accessible web sites as disclosed in Narin, the Specification of the present application explains that:

A message board system is a group of documents produced by users that are stored in a predetermined database on a *server* and then retrieved and displayed in a format consistent with the requirements of the Web site. They allow users to participate in on-going online discussions, to share thoughts, exchange opinions, and ask questions. Messages boards distinguish themselves from other Web site content because the information posted is largely user driven and allows others to access and read the material.

Specification, p. 1, lines 14-20. It is respectfully submitted that adding a list of web sites to a *local list* of web sites as disclosed in Narin does not disclose, anticipate, teach or suggest displaying embedded advertising link offers at a particular display line position within a display of a plurality of user input messages on a *network-based* [such as, for example, an Internet] message board.

For reasons similar to those given above with respect to Claim 1, it is respectfully submitted that amended independent Claim 12 is similarly distinguished from Buck, Vigil and Narin in view of the following recitation by amended independent Claim 12:

displaying a message board display, wherein the message board display comprises:

A) a display of a plurality of user input messages according to an order, wherein the order is according to: a respective date of each respective user input message, a respective subject of each respective user input message, or a relationship of each respective user input message as compared to each other user input message of the plurality of user input messages; and

B) a display of a hypertext link on a predetermined line number within a fixed number of lines of the display of the plurality of user input messages.

For reasons similar to those given above with respect to Claim 1, it is respectfully submitted that amended independent Claim 15 is similarly distinguished from Buck, Vigil and Narin in view of the following recitation by amended independent Claim 15:

displaying on a particular Internet message board, a plurality of user input messages; and

displaying on a predetermined set of particular display line positions within a fixed number of display line positions on the particular Internet message board, a plurality of offer displays.

For reasons similar to those given above with respect to Claim 1, it is respectfully submitted that new independent Claim 22 is similarly distinguished from Buck, Vigil and Narin in view of the following recitation by new independent Claim 22:

determining a first number of lines committed for displaying a plurality of user input messages on a page of the Internet-accessible message board display;

determining a second number of lines committed for displaying a plurality of subscriber-related advertising displays on the page of the Internet-accessible message board display;

determining a maximum number of lines for display on the page of the Internet-accessible message board display;

determining specific lines of the page of the Internet-accessible message board display at which to display the plurality of subscriber-related advertising displays; and

generating a display of the plurality of user input messages and the plurality of subscriber-related advertising displays.

For the above-given reasons, it is respectfully submitted that none of the other cited references, alone or in combination, disclose, anticipate, teach or suggest the above-recited limitations of amended independent Claims 1, 12, and 15, and new independent Claim 22. Accordingly, it is respectfully submitted that amended independent Claims 1, 12, and 15, and new independent Claim 22 are in condition for allowance.

Further, because, as respectfully submitted, independent Claims 1, 12, 15, and 22 are patentable over the cited references, it is respectfully submitted that dependent Claims 2-11, 13, and 16-21 are therefore also patentable over the cited references.

CONCLUSION

In view of the foregoing amendments, and for the foregoing reasons, it is respectfully submitted that the invention disclosed and claimed in the amended Claims of the present application is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, it is respectfully requested that the present application be reconsidered and allowed.

Respectfully submitted,

KHORSANDI PATENT LAW GROUP, ALC

By Marilyn R. Khorsandi
Marilyn R. Khorsandi
Reg. No. 45,744
626/796-2856